

## PATENT COOPERATION TREATY

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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference TRU PCT-02	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416
International application No. PCT/IL04/00195	International filing date (day/month/year) 29 February 2004 (29.02.2004)	Priority date (day/month/year)	
International Patent Classification (IPC) or national classification and IPC IPC(7): A 61B 1/267 and US Cl.: 600/193			
Applicant TRUPHATEK INTERNATIONAL LTD.			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>1</u> sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																											
<p>4. This report contains indications relating to the following items:</p> <table> <tbody> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </tbody> </table>				<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand 09 September 2005 (09.09.2005)	Date of completion of this report 07 February 2006 (07.02.2006)
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	<p>Authorized officer <i>[Signature]</i> Beverly M. Flanagan</p> <p>Telephone No. (571) 272-2975</p>

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IL04/00195

## Box No. I Basis of the report

1. With regard to the language, this report is based on:

- the international application in the language in which it was filed.
- a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- international search (under Rules 12.3 and 23.1(b))
  - publication of the international application (under Rule 12.4(a))
  - international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- the international application as originally filed/furnished

- the description:

pages 1-4 as originally filed/furnished

pages\* NONE received by this Authority on \_\_\_\_\_

pages\* NONE received by this Authority on \_\_\_\_\_

- the claims:

pages 6 as originally filed/furnished

pages\* NONE as amended (together with any statement) under Article 19

pages\* 5 received by this Authority on 09 September 2005 (09.09.2005)

pages\* NONE received by this Authority on \_\_\_\_\_

- the drawings:

pages 1-5 as originally filed/furnished

pages\* NONE received by this Authority on \_\_\_\_\_

pages\* NONE received by this Authority on \_\_\_\_\_

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets/figs \_\_\_\_\_

the sequence listing (*specify*): \_\_\_\_\_

any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets/figs \_\_\_\_\_

the sequence listing (*specify*): \_\_\_\_\_

any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**International application No.  
PCT/IL04/00195**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims <u>1-8</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-8</u>	NO
Industrial Applicability (IA)	Claims <u>1-8</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and Explanations (Rule 70.7)**

Claims 1-8 lack an inventive step under PCT Article 33(3) as being obvious over Upsher (U.S. Patent No. 4,930,495). Upsher teaches a laryngoscope 10 having a blade 16 mounted to a handle 19 where handle 19 has a blade attaching head portion 21 and blade 16 has a handle connecting segment 14 and a tongue holding segment 15 (see Figure 1). Blade 16 may be made from a metal material (see col. 2, lines 40-42). Head portion 21 includes two parallel upright structures 22 and a perpendicular cross bar pin 20 extending between the upright structures 22 and proximate to crossbar pin 20 are recesses 50 which cooperate with means on blade 16 for retaining the blade 16 within the handle 19 (see Figure 4). Frangible tabs 321 cooperatively fit with recesses 50 (see Figures 7 and 8).

Claims 1-8 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

----- NEW CITATIONS -----

PCT/XL04/00195 .09062005  
IPEAUS 09 SEP 2005

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**Claims:**

1. A metal laryngoscope blade for removable double snap engagement into an operative intubation position on a laryngoscope handle, the laryngoscope handle including an upright U-shaped handle hook-on fitting including a pair of spaced apart substantially parallel upright supports with interior surfaces having a pair of substantially opposite recesses, and a pivot rod extending thereacross, the metal laryngoscope blade having a leading tip and comprising (a) a resiliently elastically deformable metal blade hook-on fitting including a thin walled U-shaped retaining member facing toward the metal laryngoscope blade's leading tip, and including a pair of spaced apart substantially parallel side walls with a resiliently elastically deformable bridge extending widthwise between their leading lowermost regions for defining a cutout for snap receiving the pivot rod therein on positive snap manipulation of said blade hook-on fitting thereon, said side walls having trailing regions with respect to said bridge having exterior surfaces at least one thereof being provided with a non-frangible metal protrusion integrally formed therewith for snap insertion into a handle hook-on fitting's recess on positive snap manipulation of the blade hook-on fitting fully into the handle hook-on fitting whereupon the laryngoscope blade assumes its operative intubation position, and (b) a metal spatula attached to said blade hook-on fitting for transversely extending from the laryngoscope handle in the laryngoscope blade's operative intubation position for insertion into a subject's mouth.
2. The blade according to claim 1 wherein said bridge has a centrally disposed indentation directed away from its leading tip for precluding non snap insertion of a GO/NO-GO cylindrical gauge having the same diameter as said pivot rod into said cutout.
3. The blade according to either claim 1 or 2 wherein said side walls have having exterior surfaces each provided with a protrusion for snap insertion into a

**AMENDED SHEET**